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April 30, 2021

Gloria Moran & David Eppler
Superfund Branch (ORC DS)
U.S. Environmental Protection Agency, Region 6
1201 Elm Street, Suite 500
Dallas, Texas 75270

Re: EPA General Notice Letter for Miami, OK B.F. Goodrich Asbestos site

Dear Ms. Moran,

This letter in response is sent on behalf of my client, Allan Kaspar. The 164-acre B.F. Goodrich site in Miami, Oklahoma, has been in existence since 1944, and was actively operated [polluted] by B.F. Goodrich and Michelin for 42 years, until 1986. With full knowledge of the various contaminations, Mr. Kaspar bought the property in 2005 for \$2,850,000, and he then took several measures to contain, clean, and keep the area compliant with the Oklahoma Department of Environmental Quality requirements. Annual ODEQ inspections never noted any major deficiencies other than the occasional broken window from trespassers.

In an effort to stop the trespassing, he installed game cameras and gave his footage to the police, but law enforcement did not pursue it. Mr. Kaspar then hired an environmentalist, Jim Gaylord, and consulted Beth Hendricks from the Oklahoma Department of Labor, to create a plan to help him safely dispose of the insulation and asbestos, at a cost of just over \$18,000, which he completed. During a random City of Miami inspection, Mr. Kaspar was notified there was old oil in one of his facilities which might contain polychlorinated biphenyls (PCB's), so he had it hauled

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away to a disposal facility in Coffeyville, Kansas, to the tune of approximately \$20,000. (It turned out not to contain PCB's.) Another incident where vandals tore down an old transformer which was thought to possibly house PCB-containing oil also led Mr. Kaspar to pay to have it hauled to Coffeyville and remediated at his own cost. (It was also void of PCB's.)

During the time that Mr. Kaspar owned the site, his activities on the site were limited to using the buildings as warehouses for the storage of gas cans, dog food, grass seed, tires, and so forth, for various clients, along with the labor and machinery, such as fork lifts, to move the items. None of these activities caused any hazardous material releases, and what releases had already occurred were caused before he bought the property solely by B.F. Goodrich and Michelin.

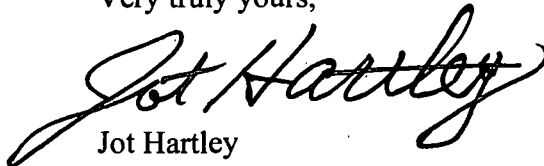
After all of these measures, Mr. Kaspar sold the site to George Blakeney of RER in 2014 for \$1,400,000—less than half of his original purchase price—with full disclosure of the various contaminations and an environmental indemnity agreement. Mr. Blakeney/RER took possession of the property in 2014, although payment in full was not satisfied until 2020. RER is the current owner/operator and receives rental revenue for the site. Whatever containment measures have or have not been taken since RER took title to, and possession of, the site in 2014 are solely the responsibility of RER.

Mr. Kaspar is unable to reimburse the EPA for its remediation efforts. His financial inability to pay is documented on the enclosed "Financial Statement for Businesses" form. Mr. Kaspar is seventy-six years old and no longer has any businesses. As a previous owner of the property, Mr. Kaspar performed every remediation measure he was asked to perform while he owned the property, took care to prevent any other releases from occurring, and then sold the property at a huge loss. He should be excluded from liability for the EPA's cleanup costs because he was a bona fide prospective purchaser under 42 U.S.C. § 9601(40) and 42 U.S.C. §

9607(q)(1)(c) who took every reasonable step after acquisition to prevent and limit any other continued or threatened releases, complied with all land use restrictions for the area, complied with EPA, ODEQ, and City of Miami requests for information, as well as provided all legally required notices for discovery or release of any hazardous substances at the site. He would like to thank the EPA for its remediation efforts and hopes that it is successful in obtaining reimbursement from the truly culpable responsible parties, B.F. Goodrich, Michelin, and RER.

If you have any other questions or concerns, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jot Hartley", written in a cursive style.

Jot Hartley
Hartley Law Firm, PLLC

Allan Kaspar

(b) (6)



Re: EPA Financial Statement for Businesses

I sold the business of Miami Warehouse to RER (George Blakeney) on a contract for deed in May of 2014. George Blakeney never made a payment after May of 2014. We went to Court and I collected the rental payments until April, 2020.

I therefore no longer have a business. The financial statement for businesses does not apply to me.

Allan Kaspar



EPA

 U.S. Environmental Protection Agency, Region IX
 Financial Statement for Businesses *

(If additional space is needed, attach a separate sheet)

1. Your name and address (including zipcode and county) ALLAN KUSPARY (b) (6)		2a. Business name and address (including zipcode and county) NONE		2. Business phone number NONE	
3. Name and address of registered agent (including zipcode and county) NONE		4. (Check appropriate box) <input checked="" type="checkbox"/> Sole proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation		<input type="checkbox"/> Trust <input type="checkbox"/> Other (specify) _____	
5. State of Incorporation (or country if foreign) NONE		5a. Employer Identification Number (b) (6)		6. Date of Incorporation NONE	
				7a. Type of business NONE	
				7b. SIC Code _____	

8. Information about owner, partners, officers, directors, major shareholder (5% or more stock ownership), other holders of more than 5% equity interest, holders of rights to purchase more than equity interest and other persons with an ability to control.

Name and Title	Effective Date	Home Address	Social Security Number (optional)	Phone Number	Total Shares or Interest
NONE					

Section I General Financial Information

9. Last three years Federal and state income tax returns	Forms Filed	Tax Years ended	Net income before taxes

10. Bank accounts (List all types of accounts including checking, savings, certificates of deposit, etc.)

Name of Institution	Address	Type of Account	Account No.	Balance
NONE				
Total (Enter in Item 19)				

11. Bank Credit available (Lines of credit, etc.)

Name of Institution	Address	Credit Limit	Amount Owed	Credit Available	Monthly
NONE					
Totals					

12. Location, box number, and contents of all safe deposit boxes rented or accessed

* This information is requested pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9604, and is not subject to approval of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

Section I - continued

General Financial Information

13. Real property

Brief Description and Type of Ownership	Address (include county, state and parcel number)
a None	
b	
c	

14. Insurance policies owned with business as beneficiary

Name Insured	Company	Policy Number	Type	Face Amount	Available Loan Value
None					
Total (Enter in item 21)					

15. Additional Information (Court and administrative proceedings by or against the business, settlement agreements, agreements to purchase or sell tangible or financial assets other than in the ordinary course of business, legal claims (whether asserted or not), bankruptcies, repossessions, recent transfers of assets for less than full value, anticipated increases in income, options to buy or sell real or personal property, real or personal property being purchased under contract, real or personal property being held on behalf of the business).

15a. List all subsidiaries owned, joint ventures, partnerships and other entities controlled by the business. Provide current market value of the business' interest in such subsidiary or other entity.

16. Federal government departments or agencies with whom you have a contract for payment of goods or services

Agency Name	Address	Contract No.	Amount to be Received	Payment Due Date
None				

16a. Federal government departments or agencies that have extended or given the business loans, grants or assistance, or to which you have applied (or anticipate applying for any loan, grant, or assistance) in the past 5 years.

None				

17. Accounts/Notes receivable (include loans to stockholders, officers, partners, etc.)

Agency Name	Address	Amount Due	Due Date	Status
None				
Total (Enter in item 20)				

Section II.

Asset and Liability Analysis

Description (a)	Cur. Mkt Value (b)	Liabilities Bal. Due (c)	Equity in Asset (d)	Amount of Mo. Pymt. (e)	Name and Address of Lien/Note Holder/Obligee (f)	Date Pledged (g)	Date of Final Pymt. (h)
18. Cash on hand		None					
19. Bank accounts		None					
19a. Securities and other financial assets owned		None					
20. Accounts/Notes receivable		None					
21. Insurance Loan Value		None					
22. Real property (from Item 13)	a.	None					
	b.						
	c.						
	d.						
23. Vehicles (Model, year, license)	a.	None					
	b.						
	c.						
24. Machinery and equipment (Specify)	a. None						
	b.						
	c.						
25. Merchandise Inventory (Specify)	a. None						
	b.						
26. Other Assets (including permits, licenses, tax loss carry forwards, agreements not to compete, other contracts) (Specify)	a. None						
	b.						
	c.						
	d.						
27. Other Liabilities (include judgments, notes, tax liens, etc.)	a. None						
	b.						
	c.						
	d.						
	e.						
28. Federal & State Taxes Owed					None		
29. Totals					None		

Section III.

Income and Expense Analysis

The following information applies to income and expenses during a one year period:

None

to

Accounting method used

None

Income		Expenses	
30. Gross receipts from sales, services, etc.	\$ None	36. Materials purchased	\$ None
31. Gross rental income	None	37. Wages and salaries of employees	None
32. Interest	None	38. Wages/salaries/bonuses for officers, directors and stockholders	None
33. Dividends	None	39. Rent	None
34. Other income (Specify)	None	40. Installment payments (from line 29)	None
		41. Supplies	None
		42. Utilities / Telephone	None
		43. Gasoline / Oil	None
		44. Repairs and maintenance	None
		45. Insurance	None
		46. Current taxes	None
		47. Other, including fees paid for services (Specify)	None
35. Total	⇒ \$ None	48. Total	⇒ \$ None
		49. Net difference	⇒ \$ None

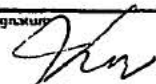
50. List all transferred real & personal property, including cash (by gift; by loan that was not at fair market terms; by sale for less than fair market value or made outside the normal course of business, etc.) that was made within the last 3 years (Items of \$3,000 or more):

Date	Amount	Property Transferred	To Whom	Conditions of Transfer
		None	(Indicate any relationship to business or its partners, directors, stockholders, or other controlling persons)	

Certification

Under penalties of perjury, I declare that to the best of my knowledge and belief this statement of assets, liabilities, and other information is true, correct, and complete.

51. Signature



52. Print Name / Title

Allen Kasperow

53. Date

4-21-2021

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